

CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**

of **June 20, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

Presentation: Recognition of Officer Rosie Betanio as recipient of the "Award of Professional Achievement" from the Women Peace Officers Association of California.

6:00 P.M. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
 - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
 - d. Borges et al v. Hollister, Case No. CV030139
 - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
 - 5. Threat to Public Services or Facilities pursuant to Government Code Section 54957:

Consultation with City of Hollister Chief of Police
 - 6. Personnel – City Manager Evaluation/Appointment

6:30 P. M. - AGENDA

A. CONSENT RESOLUTION (June 20, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, A4, A5, A6 and A7.

- A1. Minutes of Regular Meetings of May 16, 2005 and June 6, 2005.

Approve Minutes of the Regular Meetings of May 16, 2005 and June 6, 2005 as submitted.

- A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers:

- May 26, 2005 \$200,898.81
- June 6, 2005 \$344,848.56
- June 9, 2005 \$183,738.36

- A3. ABC License Review – Maverick BBQ.

City Council should acknowledge receipt of the ABC license review for Maverick BBQ at 35A Fifth Street (Train Depot) and order it filed.

- A4. Resolution No. 2005-84, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE OF VERSAILLES DRIVE.

This Resolution confirms the City Council approval of the Versailles Drive Block party with specific conditions.

- A5. Resolution No. 2005-85, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE OF SEVENTH STREET.

Resolution No. 2005-86, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE OF LAS BRISAS DRIVE.

Resolution No. 2005-87, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE OF SEVERINSEN STREET.

These Resolutions will authorize the temporary Street Closures for Seventh Street, Las Brisas Drive, and Severinsen Street.

- A6. Resolution No. 2005-88, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE ANNUAL 4TH OF JULY KIDDIE PARADE.

This Resolution authorizes the temporary closures of various streets for the Annual 4th of July Kiddie Parade to be held on the 4th of July.

- A7. Resolution No. 2005-89, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AWARDED BID AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE HOLLISTER FREE LANCE FOR PUBLICATION SERVICES.

This Resolution awards bid and authorizes execution of an agreement with the Hollister Free Lance for publication services.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or About 6:30 p.m.)

1. Consider Recommendation of Planning Commission to Prohibit Off-Premises Advertising Signs in the City of Hollister.

OPEN PUBLIC HEARING

Continue to July 5, 2005.

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Read by Title Only and Adopt Ordinance No. 997, AN URGENCY ORDINANCE OF THE CITY OF HOLLISTER AMENDING THE MUNICIPAL CONTRACT BETWEEN THE CITY OF HOLLISTER AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

This Ordinance allows the City to initiate the process to amend the contract between the City of Hollister and the California Public Employees' Retirement System (CalPERS) to implement the CalPERS 3% @ 50 retirement formula for eligible sworn unit members.

2. Read by Title Only and Adopt Ordinance No. 998, AN URGENCY ORDINANCE OF THE CITY OF HOLLISTER ADDING SECTIONS 9.06.050, 9.06.060 AND 9.06.070 TO THE MUNICIPAL CODE REGULATING CONDUCT WITHIN PUBLIC EVENT AREAS OF THE CITY.

This Ordinance adds Section 9.06.050, 9.06.060 and 9.06.070 to the Municipal Code regulating conduct within public event areas of the City.

3. Resolution No. 2005-90, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF A NEW WASTEWATER PUMP FOR THE CITY OF HOLLISTER LIFTSTATION #2.

This Resolution authorizes the City Manager to execute a purchase order for the purchase of a new wastewater pump for the City of Hollister liftstation #2.

4. Resolution No. 2005-91, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF NEW CHLORINE STORAGE TANKS FOR VARIOUS WATER WELL SITES.

This Resolution authorizes the City Manager to execute a purchase order for the purchase of new chlorine storage tanks from US Filter Products.

5. Resolution No. 2005-92, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DECLARING INTENTION TO ORDER THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING DISTRICT NO 93-1 FOR FISCAL YEAR 2005/2006, AND GIVING NOTICE OF AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY AND COLLECTION OF SAID ASSESSMENT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972.

This Resolution declares intent to order levy and collection of annual assessments for Landscape & Lighting District 93-1 and giving Notice of Setting the Time and Place for a Public Hearing. [FY 2005/2006 Collection Roll on file in City Clerk's office].

6. Resolution No. 2005-93, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF SAN BENITO COUNTY TO COMPLETE THE ANNEXATION TO THE CITY OF HOLLISTER OF CERTAIN TERRITORY KNOWN AS THE PROPERTY OF MILLER-FERREIRA (FORMERLY ANNOTTI), LAFCO FILE 2003-390, AND THE PROPERTY OF BRIGANTINO, LAFCO FILE NO. 2003-391.

This Resolution requests LAFCO to complete the annexation of two properties.

7. Resolution No. 2005-94, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER COMMITTING \$12,000 OF HOME PROGRAM FUNDS TO THE HOMELESS TASK FORCE OF SAN BENITO COUNTY.

This Resolution commits \$12,000 of HOME Program funds to the Homeless Task Force of San Benito County, appoints three members of the Redevelopment Agency Board to oversee and develop loan terms and authorizes the City

Manager to execute all loan documents associated with the HOME Program loan.

8. Resolution No. 2005-95, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AN AGREEMENT WITH CLINT QUILTER FOR CITY MANAGER SERVICES.

This Resolution approves an agreement with Clint Quilter for City Manager services.

9. Resolution No. 2005-96, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING A CONTINUATION BUDGET APPROPRIATION FOR THE PERIOD JULY 1, 2005, THROUGH AUGUST 1, 2005.

This Resolution authorizes a continuation budget appropriation for July 1, 2005 through August 1, 2005.

10. Resolution No. 2005-97, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES CONTRACT WITH GRASSETTI ENVIRONMENTAL CONSULTING, WEST OF FAIRVIEW RESIDENTIAL SUBDIVISION.

This Resolution authorizes the execution of a Professional Services Contract with Grasseti Environmental Consulting to prepare a Supplemental EIR for the West of Fairview Residential Subdivision.

11. Resolution No. 2005-98, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE SALE OF THE FREMONT SCHOOL AND FIRESTATION #1 SITES TO THE REDEVELOPMENT AGENCY OF THE CITY OF HOLLISTER.

This Resolution authorizes the sale of the Fremont School and Firestation #1 sites to the Redevelopment Agency of the City of Hollister.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Receive status report on Hollister Municipal Airport.

City Council will receive an oral report regarding the Hollister Municipal Airport projects and finances.

4. Update on Water and Wastewater Issues

City Council will receive an oral report from Staff on water and wastewater issues.

F. UNFINISHED BUSINESS:

None

G. NEW BUSINESS:

None

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for July 5, 2005, at 6:30 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].